

STATEMENT OF

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BEFORE

**U.S. House of Representatives
Committee on International Affairs
Subcommittee on The Western Hemisphere**

REGARDING

“U.S. - MEXICO RELATIONS”

**2172 RAYBURN HOUSE OFFICE BUILDING
2:00 p.m. WEDNESDAY, APRIL 26, 2006**

Chairman Burton, Ranking Member Engel, Members of the Subcommittee, it is a privilege and an honor to appear before you today to discuss U.S. Customs and Border Protection's (CBP's) partnership with the Government of Mexico.

I want to begin by expressing my gratitude to the Committee for the interest and support you provided for important initiatives with our Mexican counterparts, and other efforts to increase the security of our homeland. Your support has enabled CBP to make significant progress in securing our borders and protecting our country against the terrorist threat. CBP looks forward to working with you to build on these successes.

On March 1, 2006, CBP marked its third anniversary, and in those three years we have made great strides toward securing America's borders, protecting trade and travel, and ensuring the vitality of our economy. As America's frontline border agency, CBP employs highly trained and professional personnel, resources, expertise and law enforcement authorities to discharge our priority mission of preventing terrorists and terrorist weapons from entering the United States. Carrying out our extraordinarily important mission entails improving security at and between our ports of entry, as well as extending our zone of security to protect our physical borders.

As we work to gain operational control of our borders, we continue to perform our traditional missions, including apprehending individuals attempting to enter the United States illegally; stemming the flow of illegal drugs and other contraband; protecting our agricultural and economic interests from harmful pests and diseases; protecting American businesses from theft of their intellectual property; regulating and facilitating international trade; collecting import duties; and enforcing United States trade laws. In FY 2005, CBP seized over 2 million pounds of narcotics, processed 431 million pedestrians and passengers; processed and cleared 25.3 million containers transported via sea, rail and air; processed approximately 29 million trade entries and 121 million privately owned vehicles; and collected \$31.4 billion in revenue.

CBP must perform its important security and trade enforcement missions without stifling the flow of legitimate trade and travel that is so important to our nation's economy. Our efforts to build more secure and more efficient borders would not be possible without our partnerships with the trade community and foreign governments, including the government of Mexico.

As our closest neighbor to the South, the government of Mexico is a critical partner for U.S. Customs and Border Protection. In FY 2005, approximately 242 million people crossed through U.S. ports of entry from Mexico. CBP works extensively with representatives of the customs, immigration, law enforcement and security agencies of Mexico, as well as with many of the leading Mexican businesses. I would like to take this opportunity to describe some of the initiatives and programs that are currently underway with our Mexican colleagues.

Security and Prosperity Partnership (SPP)

On March 23, 2005 in Waco, TX, President Bush, along with Canadian Prime Minister Martin and Mexican President Fox, unveiled the Security and Prosperity Partnership for North America (SPP), a blueprint for a safer and more prosperous continent. The Leaders agreed on an ambitious security and prosperity agenda which will keep our borders closed to terrorists and open to trade. The three leaders instructed each nation to establish ministerial-level Security and Prosperity working groups. Secretary Chertoff chairs the security agenda while Secretary of Commerce, Carlos Gutierrez, chairs the prosperity agenda.

The Leaders met again this year on March 31 in Cancun to review progress and renew commitment to enhance the security, prosperity, and quality of life of the citizens within North America. The leaders announced the creation of a North American Competitiveness Council (NACC). The Council will comprise members of the private sector from each country who will meet annually with security and prosperity Ministers and will engage with senior government officials on an ongoing basis. CBP looks forward to its role in working with the NACC.

The Security agenda consists of ten security-related goals including Traveler Security, Cargo Security, Border Facilitation, Law Enforcement, Critical Infrastructure Protection, and Technology. Last June, Secretary Chertoff together with his counterparts in Canada and Mexico, delivered a detailed work plan for the security agenda. Within each goal there are more defined objectives, and within each objective there are certain Canada-Mexico deliverables that call for specific actions to be implemented jointly between the U.S. and Mexico. CBP is responsible for a significant portion of SPP. The Security agenda builds upon and expands the initiatives that CBP previously had engaged with Mexico under a bilateral forum known as the Border Partnership Plan (BPP).

We continue to strengthen our ties to our Mexican colleagues through a number of working groups that were established to implement the SPP Deliverables. These working groups are critical to implementing important bi-lateral programs such as Free And Secure Trade (FAST), Secure Electronic Network for Travelers Rapid Inspection (SENTRI), the Customs-Trade Partnership Against Terrorism (C-TPAT), the Operation Against Smugglers (and Traffickers) initiative on Safety and Security (OASISS), and the Interior Repatriation program (IR), which I will describe shortly.

One of the key SPP initiatives is the World Customs Organization (WCO) Framework of Standards, to which Mexico is a signatory. Adopted by the WCO in June 2005, the Framework consists of four core elements: harmonized advance electronic manifest information on cross border shipments; a risk-management approach to inspections; application of modern technology; and customs privileges for businesses that meet minimum supply-chain standards. The Framework has the potential to dramatically improve the security of world trade and improve the efficiency and flow of trade. Through the Framework, the WCO is promoting security concepts of programs,

including our Container Security Initiative (CSI) and C-TPAT, which seek to identify, detect, and deter a threat at the earliest point in the supply chain.

An important element of the Framework is capacity building. Through the WCO, certain member nations' customs agencies provide assistance to other countries to modernize and upgrade their capacity, including the internal organization, requirements, procedures and processes, so that these countries can fully implement the standards set forth in the Framework. CBP believes strongly in the principles of the Framework, recognizes its ability to offer relevant training and assistance, and has extended formal offers of assistance to ten countries. Mexico accepted CBP's offer and a CBP team completed its site assessment of customs operations in Mexico between March 6, 2006, and March 16, 2006. This team of subject matter experts documented basic issues related to legal authorities, customs processes, information technology infrastructure, integrity monitoring programs and physical infrastructures at selected seaports, airports and land borders. The assessment results will be used to develop a proposed action plan for future training and technical assistance for Mexico.

Free and Secure Trade (FAST)

Under the FAST program, Mexico and the United States have agreed to coordinate to the maximum extent possible, their commercial processes for clearance of commercial shipments at the border. This will promote free and secure trade by using common risk-management principles, supply chain security, industry partnership, and advanced technology to improve the efficiency of screening and clearing commercial traffic at our shared border. Under FAST, applicants who pay a fee and undergo security checks receive expedited processing for qualified merchandise in designated traffic lanes at select border sites. If a significant event or disaster that impacts cross-border trade were to occur approved FAST participants may receive priority during border business resumption protocols.

Since its inception in December 2002, FAST has enrolled approximately 61,000 commercial drivers and has expanded to eleven sites along the Northern border and seven locations along the Southwest Border. FAST will expand in calendar year 2006 to six additional sites along the Northern border and seven additional locations along the Southwest Border.

Mexican Customs and CBP continue to work together to further harmonize and refine FAST and its Mexican equivalent, Exprés.

Secure Electronic Network for Travelers Rapid Inspection (SENTRI)

SENTRI is a "trusted traveler" program exclusive to the Southwest Border. The "trusted traveler" concept assists law enforcement officials at our nation's borders in identifying low-risk passengers from those that present a higher risk to U.S. homeland security.

Working with the Department of State, this concept supports CBP's strategy of using risk management principles and advanced technology to facilitate the entry of low-risk travelers across the border at selected crossings.

SENTRI provides expedited CBP processing for pre-approved, low-risk travelers who undergo a thorough biographical background check against criminal, law enforcement, customs, immigration, and terrorist indices; a 10-fingerprint law enforcement check; and a personal interview with a CBP Officer. Approved applicants are issued a Radio Frequency Identification (RFID) card that identifies their record and status in a CBP database upon arrival at Port of Entry. An RFID transponder is also issued to the applicant's vehicle.

SENTRI participants wait for much shorter periods of time than non-participants to enter the United States, even at the busiest times of the day. Critical information required in the inspection process is provided by the RFID technology to the CBP Officer in advance of the passenger's arrival, thus reducing the inspection time from an average of 30-40 seconds to an average of 10 seconds. As soon as a SENTRI participant presents his vehicle for inspection, bollards and concrete barriers create a chute that captures the SENTRI traffic and puts it under the CBP Officer's "zone of control". If both the CBP Officer and the SENTRI electronic equipment approve, the traveler can be granted admission into the United States. Currently, approximately 75,000 individuals are enrolled in SENTRI, accounting for over 300,000 border crossings into the U.S. per month.

Customs-Trade Partnership Against Terrorism (C-TPAT)

In fiscal year 2005, over 5.3 million containers entered the United States from Mexico across our Southwest border. Working with our Mexican partners, we are extending our zone of security beyond our borders. Through C-TPAT, CBP works together with businesses to identify, implement, and validate strong supply chain security. C-TPAT was modeled after two earlier programs, Business Anti-Smuggling Coalition (BASC) and Carrier Initiative Programs that were supported by the Mexican government and the Mexican business community. The Mexican government and Mexican business continue to support our efforts in cargo and supply chain security. Numerous Mexican manufacturers and southern border highway carriers have become C-TPAT members, and have welcomed CBP validation teams to inspect their supply chain security measures.

Operation Against Smugglers (and Traffickers) Initiative on Safety and Security (OASISS)

OASISS is a bilateral program between the U.S. and Mexico, which enhances our ability to prosecute alien smugglers and human traffickers on both sides of the border. Too

often, smugglers responsible for life threatening behavior, and even deaths, on one side of the border were able to evade justice by escaping to the other side.

Working with the Mexican Attorney General's Office (PGR), we have been able to successfully process a total of 129 cases under the OASISS program. In 2005, the Border Patrol, in California and Arizona alone, assisted in the prosecution of 786 smuggling cases, and the Office of Field Operations assisted in the prosecution of 766 cases, a total of more 1,500 alien smuggling prosecutions.

OASISS is currently operational along the California and Arizona sections of the Southwest border, but we are engaging our Mexican partners to expand it to the New Mexico and Texas border areas.

Interior Repatriation Program (IR)

The IR program is a bilateral program between the U.S. and Mexico, in which certain Mexican nationals apprehended while trying to cross illegally into the United States are voluntarily returned to the interior of Mexico, in an effort to break the cycle of human smuggling and decrease incidents of border deaths. The general principles for the IR Program were agreed to bilaterally through the U. S. - Mexico Repatriation Technical Working Group. Through programs like the IR we can enhance our collective security, provide for the safety of Mexican nationals, and repatriate them in a manner that is safe, orderly, humane and dignified.

The program was established in summer 2004 and successfully repatriated more than 14,000 individuals to their hometowns in the interior of Mexico. The program exhibited bi-national cooperation at the level of central government and local officials. In 2005, the second IR program ran for 113 days, from June 10 to September 30, 2005. During that time, an estimated 20,850 persons were safely repatriated to the interior of Mexico. Participants were flown from Tucson, Arizona, to Mexico City and then transported by bus to locations nearer to their hometowns.

Our governments are currently assessing proposals for an IR program for this summer.

Further, we are working with Mexican officials to update and implement local repatriation arrangements between DHS and the Mexican consulates in the United States. CBP officers – including those at ports of entry and in the border patrol—as well as our colleagues in Immigration and Customs Enforcement (ICE) are responsible for the safe, orderly, and effective repatriation of Mexican nationals.

Border Violence

On March 3, 2006, in Brownsville, Texas, Secretary of Homeland Security, Michael Chertoff, and his Mexican counterpart, Secretary of Governance and Public Safety,

Carlos Abascal, signed a Plan of Action committing both governments to combat border violence and improve public safety. The commitment between our two nations will strengthen procedures between federal law enforcement agencies on both sides of the border to respond to a variety of incidents, including accidental crossings, incidents of violence, or other situations that present risks to those who live, work, or travel at our common border. CBP and the Center for Investigation and National Security (CISEN) in Mexico are working closely to develop communication and response protocols when these incidents occur. Advances we are making with this effort include the establishment of local groups to work together on issues of border security, including border violence. We are working to empower our local officials to assess issues and craft solutions appropriate to local circumstances. Our first two test sites for this concept are Laredo, Texas, and Nogales, Arizona. The principal focus of these groups is to implement border violence response protocols.

In recognition of our important relationship with Mexico, CBP opened its first Mexican Attaché office in August 2004. Working closely with our Mexican partners, this office plays a critical role in the development of communication and response protocols.

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Training and Assistance

The United States has further developed its relationship with Mexico through training programs. Training sessions have focused on subjects including using of non-intrusive inspection equipment, detecting weapons of mass destruction, and identifying fraudulent immigration documents.

Border Patrol Search, Trauma and Rescue units (BORSTAR) are elite special response teams with law enforcement search and rescue, and medical aid rapid response capabilities. In addition to its core focus of supporting Border Patrol operations, this Special Unit provides mutual assistance to other federal, state and local entities including tribal authorities. BORSTAR has become a highlight of a bilateral training initiative in our relationship with Mexico. In December 2005, BORSTAR conducted its first ever search, trauma, and rescue academy for 25 Mexican officials. The training was conducted in the southern Mexican state of Chiapas and was well received. Additionally, CBP operates the National Air Training Center in Oklahoma City, Oklahoma. In addition to training CBP pilots, the center provides aircraft and tactical training to Mexican pilots.

Mr. Chairman, Members of the Subcommittee, I have outlined a number of initiatives today that we have taken with the government of Mexico to allow us to protect America

from the terrorist threat while performing our traditional enforcement and facilitation missions. But our work is not complete. With the continued support of the President, the Department of Homeland Security, and Congress, as well as our international partners including the Government of Mexico, CBP will succeed in meeting the challenges posed by the ongoing terrorist threat and the need to facilitate the increasing numbers of legitimate shipments and travelers.

Thank you again for this opportunity to testify. I will be happy to answer any questions you may have.